

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE 1 OF 6 PAGES		
2. AMENDMENT/MODIFICATION NO. 0003			3. EFFECTIVE DATE 13 JAN 2006		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY DEFENSE ENERGY SUPPORT CENTER 8725 John J. Kingman Road, Suite 4950 Ft. Belvoir, VA 22060-6222 M. PRATT/DESC-PLC/703-767-9525 FAX - 703-767-8506			CODE SP0600		7. ADMINISTERED BY (If other than Item 6)			CODE
8. NAME AND ADDRESS OF CONTRACTOR (NO., street, city, county, State, and ZIP Code)					(✓)		9A. AMENDMENT OF SOLICITATION NO.	
					X		SP0600-05-R-0214	
							9B. DATED (SEE ITEM 11) 02 SEPTEMBER 2005	
							10A. MODIFICATION OF CONTRACT/ORDER NO.	
Bidder Code					CAGE Code			
CODE			FACILITY CODE				10B. DATED (SEE ITEM 13)	
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS								
<p>[X] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [X] is extended, [] is not extended</p> <p>Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:</p> <p>(a) By completing Items 8 and 15, and returning <u> 1 </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p>								
12. ACCOUNTING AND APPROPRIATION DATA (If required)								
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.								
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.								
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)								
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:								
d. OTHER Specify type of modification and authority								
E. IMPORTANT: Contractor [] is not, [] is required to sign this document and return <u> </u> copies to the issuing office.								
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible).								
PURCHASE PROGRAM 3.10 HAWAII PC&S								
<p>1. This is Amendment 0003 to the Solicitation. ACKNOWLEDGEMENT OF AMENDMENTS: All offerors must acknowledge receipt and acceptance of all amendments to the solicitation. You may do so by filling your name in Block 8 and signing and dating (blocks 15A, 15B, and 15C) of the Standard Form 30, and returning the amendment or by facsimile to (703) 767-8506.</p>								
Except as provided herein, all terms and conditions of the document referenced in Items 9A or 10A, as heretofore changed, remain unchanged and in full force and effect.								
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)				
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED		
(Signature of person authorized to sign)				(Signature of Contracting Officer)				

2. Clause B1.05-2, SUPPLIES TO BE FURNISHED (OVERSEAS PC&S) (PORTS INTERNET APPLICATION) (DESC MAY 2001) is hereby amended to add the following new line items under Solicitation SP0600-05-R-0214. (See paragraph 4 below for offer submission instructions)

<u>ITEM NUMBER</u>	<u>ESTIMATED QUANTITY</u>	<u>UI</u>
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542	BARBERS POINT HI, NAVY, NAVAL AIR STATION, MISSION STREET (FOR NAVFAC HAWAII), ISLAND OF OAHU HONOLULU COUNTY DELIVERY DODAAC: N62478 ORDERING OFFICE: 808-474-3134, ext 221	
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542-68	DIESEL FUEL #2, LOW SULF (LS2) **PORTS ACTIVE**	23,500 GL
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TANK WAGON (TW), INTO
1/5,000 GALLON ABOVE GROUND TANK(S)
ANTICIPATE 10% ON HIGHWAY USE
DELIVERY HOURS: 0700-1530
THIS FUEL IS CAPITALIZED

554	PEARL HARBOR HI, NAVY, SHIPYARD PAUL HAMILTON AVENUE (FOR NAVFAC HAWAII), ISLAND OF OAHU HONOLULU COUNTY DELIVERY DODAAC: N62478 ORDERING OFFICE: 808-474-3134, ext 221	
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554-68	DIESEL FUEL #2, LOW SULF (LS2) **PORTS ACTIVE**	261,000 GL
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TANK WAGON (TW), W/3 INCH CAMLOCK (DRY COUPLER) INTO
2/6,000 GALLON ABOVE GROUND TANK(S)
(BOTTOM LOAD)
ANTICIPATE 10% ON HIGHWAY USE
DELIVERY HOURS: 0700-1530
THIS FUEL IS CAPITALIZED

567	LUALUALEI HI, NAVY, NAVAL MAGAZINE DEPOT, BUILDING 415 KOLEKOLE ROAD (FOR NAVFAC HAWAII), ISLAND OF OAHU HONOLULU COUNTY DELIVERY DODAAC: N62478 ORDERING OFFICE: 808-474-3134, ext 221	
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<u>ITEM NUMBER</u>	<u>ESTIMATED QUANTITY UI</u>
567-68 DIESEL FUEL #2, LOW SULF (LS2) ***PORTS ACTIVE*** TANK WAGON (TW), INTO 1/5,000 GALLON ABOVE GROUND TANK(S) ANTICIPATE 0% ON HIGHWAY USE DELIVERY HOURS: 0700-1530 MONDAY THRU FRIDAY THIS FUEL IS CAPITALIZED	6,500 GL
599 PEARL HARBOR HI, NAVY, NAVFAC COMPOUND, BUILDING X-30 MOANALUA RANGE, (FOR NAVFAC HAWAII) ISLAND OF OAHU HONOLULU COUNTY DELIVERY DODAAC: N62478 ORDERING OFFICE: 808-474-3134, ext 221	
599-68 DIESEL FUEL #2, LOW SULF (LS2) **PORTS ACTIVE** TANK WAGON (TW), INTO 1/8,000 GALLON TANK ANTICIPATE 10% ON HIGHWAY USE DELIVERY HOURS: 0700-1530 THIS FUEL IS CAPITALIZED	54,500 GL
611 WAHIAWA HI, NAVY, NAV COM STATION, BUILDING S232, ANZIO DRIVE, (FOR NAVFAC HAWAII) ISLAND OF OAHU HONOLULU COUNTY DELIVERY DODAAC: N62478 ORDERING OFFICE: 808-474-3134, ext 221	
611-68 DIESEL FUEL #2, LOW SULF (LS2) ***PORTS ACTIVE*** TANK WAGON (TW), INTO 1/5,000 GALLON ABOVE GROUND TANK(S) ANTICIPATE 0% ON HIGHWAY USE DELIVERY HOURS: 0700-1530 MONDAY TO FRIDAY THIS FUEL IS CAPITALIZED	6,000 GL
630 WEST LOCH HI, NAVY, NAVAL MAGAZINE DEPOT, WEST LOCH BRANCH 18TH & G STREET (FOR NAVFAC HAWAII), ISLAND OF OAHU HONOLULU COUNTY DELIVERY DODAAC: N62478 ORDERING OFFICE: 808-474-3134, ext 221	

ITEM
NUMBER

ESTIMATED
QUANTITY UI

630-68 DIESEL FUEL #2, LOW SULF (LS2)
PORTS ACTIVE

25,000 GL

TANK WAGON (TW), INTO
1/5,000 GALLON ABOVE GROUND TANK(S)
ANTICIPATE 10% ON HIGHWAY USE
DELIVERY HOURS: 0700-1530
THIS FUEL IS CAPITALIZED

955 WHEELER AAF
HI, DOD, DISA-PAC, 745 WRIGHT AVE (BLDG 107)
HONOLULU COUNTY, ISLAND OF OAHU
DELIVERY DODAAC: HC1003
BILLING DODAAC : HC1003
ORDERING OFFICE: 808-656-4050

955-68 DIESEL FUEL #2, LOW SULF (LS2)
PORTS ACTIVE

25,000 GL

TANK WAGON (TW), INTO
1/10,000 GALLON ABOVE GROUND TANK(S) (BOTTOM
LOADING)
ANTICIPATE 0% ON HIGHWAY USE
METERED DELIVERY TICKET REQUIRED
DELIVERY HOURS: 0800-1600 MONDAY THRU FRIDAY
EXCLUDING HOLIDAYS
THIS FACILITY USES ELECTRICITY AS ITS PRIMARY
ENERGY SOURCE. HOWEVER, DURING TIMES OF ELECTRIC
OUTAGES OR CURTAILMENT OR WHEN THE ECONOMIC
ANALYSIS INDICATES IT IS MORE COST EFFECTIVE TO
BURN DIESEL FUEL, THE CONTRACTOR IS REQUIRED TO
COMMENCE DELIVERIES WITHIN 48 HOURS OF
NOTIFICATION.
10,000 GALS OF TOTAL EST QTY WILL BE REQUIRED IN
2006 FOR INITIAL FILL.

3. Clause B1.05-2, SUPPLIES TO BE FURNISHED (OVERSEAS PC&S) (PORTS INTERNET APPLICATION)
(DESC MAY 2001) is hereby amended to solicit initial offers for the following line items to Solicitation SP0600-05-R-0214.
The estimated quantities and delivery narratives may be viewed in the basic solicitation. (See paragraph 4 below for offer submission
instructions)

001-06 FOBTW, Hilo (Hawaii) HI
007-06 Pohakuloa (Hawaii) HI
007-13 Pohakuloa (Hawaii) HI

554-BD Pearl Harbor (Honolulu) H
561-BD Kaneohe (Honolulu) HI
561-24/28 Kaneohe (Honolulu) HI

007-24/28 Pohakuloa (Hawaii) HI
020-24/28 Schofield Barracks (Honolulu) HI
500-28 Barking Sands (Kauai) HI
500-68 Barking Sands (Kauai) HI
501-06 Kekaha (Kauai) HI
502-70 Barking Sands (Kauai) HI
506-28 Mahana Ridge (Kauai) HI
506-70 Mahana Ridge (Kauai) HI
512-28 Port Allen Harbor (Kauai) HI
518-68 Port Allen (Kauai) HI
524-70 Kokee (Kauai) HI
542-BD Barbers Point (Honolulu) HI
543-BD Barbers Point (Honolulu) HI

567-BD Lualualei (Honolulu) HI
572-24/28 Pearl City (Honolulu) HI
573-24/28 Pearl Harbor (Honolulu) HI
593-24/28 Pearl Harbor (Honolulu) HI
599-BD Pearl Harbor (Honolulu) HI
611-BD Wahiawa (Honolulu) HI
630-BD West Loch (Honolulu) HI
750-13 Hickam AFB (Honolulu) HI
755-13 Barking Sands (Kauai) HI
770-13 Kokee (Kauai) HI
850-13 Wheeler AFB (Honolulu) HI
950-24 BRG Barbers Point (Honolulu) HI
B20-24 Honolulu (Honolulu) HI

4. Initial offers for items under paragraphs 2 and 3 above must be received no later than 3:00 P.M. Fort Belvoir time on January 26, 2006.

a. Offers must be submitted on attached PRICE DATA SHEET FOR FOB DESTINATION ITEMS. Columns A, B, C and D of the PRICE DATA SHEET should be completed and faxed to the Offer Custodian/ DESC-PLC, Fax 703-767-8506.

b. Offer price shall exclude federal excise taxes with exception of LUST. LUST must be included in the Offer Price.

c. Offer prices shall include all applicable State/Local Taxes and Fees that the Government is NOT exempt from paying.

d. The Base Reference Date of August 15, 2005 remains the same as in the basic solicitation.

5. Clause I28.02-2, FEDERAL, STATE, AND LOCAL TAXES AND FEES (DESC AUG 2005), **is hereby deleted from the solicitation and replaced by the updated (NOV 2005) version that is included in full text below.**

6. Clause I28.03-2, TAX EXEMPTION CERTIFICATES (DESC MAR 2004), **is hereby deleted from the solicitation and replaced by the updated (DEC 2005) version that is included in full text below.**

I28.02-2 FEDERAL, STATE, AND LOCAL TAXES AND FEES (DESC NOV 2005)

(a) **FEDERAL EXCISE TAXES EXCLUDED.** Contract prices for fuel and fuel oils furnished under this contract exclude Federal Excise Taxes (FET). A Contractor not permitted by Internal Revenue Service (IRS) regulations to sell tax-free fuel must state that in its offer. Contractors shall invoice applicable FET as follows:

(1) **GASOLINE/GASOHOL.** Unless an exemption applies, include the FET as a separate item on the Contractor's invoice.
(2) **AVIATION GASOLINE.** Unless an exemption applies, include the FET as a separate item on the Contractor's invoice.
(3) **FUEL OIL (BURNER GRADES) NUMBERS 1, 2, 4, 4 (LIGHT), 5(LIGHT), 5(HEAVY), AND 6.** There is no FET on fuel oils (burner grades). Lighter grades (numbers 1, 2, and 4 (light) must be dyed. Contractors are responsible for obtaining fuel oils (burner grades 1, 2 and 4 (light)) meeting IRS dyeing requirements.

(4) **DIESEL AND NONAVIATION GRADE KEROSENE FUEL.**

(i) **UNDYED DIESEL AND UNDYED NONAVIATION KEROSENE FUEL.** Unless an exemption applies, include the FET as a separate item on the Contractor's invoice.

(ii) **DYED DIESEL AND DYED NONAVIATION KEROSENE FUEL.** There is no FET on dyed diesel and dyed nonaviation kerosene fuel.

(5) **KEROSENE FOR USE IN NONCOMMERCIAL AVIATION (JET FUEL).** Effective October 1, 2005, only the registered ultimate vendor may claim a refund for kerosene used in noncommercial aviation for use in military aircraft. An ultimate vendor is a person that sells kerosene to an ultimate purchaser for use in noncommercial aviation. The ultimate vendor is the Contractor; DESC is the ultimate purchaser. Therefore, the Contractor shall not invoice FET. It shall only include the Leaking Underground Storage Tank (LUST) tax as part of the contract price for removal by truck or rail. The Contractor, as the ultimate vendor, must apply for recovery of FET.

(6) **BIODIESEL (B20).** Unless an exemption applies, include the FET as a separate item on the Contractor's invoice.

(7) **E85 (QUALIFIED ETHANOL).** Unless an exemption applies, include the FET as a separate item on the Contractor's invoice.

(b) **FEDERAL LEAKING UNDERGROUND STORAGE TANK (LUST) TAX INCLUDED.** Effective October 1, 2005, contract prices for all petroleum products including previously exempt (red dye) diesel fuels **INCLUDE** the Federal Leaking Underground Storage Tank (LUST) tax. The LUST tax does not apply to F76, JPTS, FSII, FOR, SLOP, Burner Oil No. 5, Burner Oil Number 6 and lubes.

(c) **STATE TAXES INCLUDED.** Unless an exemption applies, all contract prices **INCLUDE** State taxes. Examples of such taxes include excise, gross receipts, etc. The Contractor's invoice shall include a list of all State taxes that are included in the price, including the applicable rate.

(d) **LOCAL TAXES INCLUDED.** Unless an exemption applies, all contract prices **INCLUDE** local (city, county, etc.) taxes. The Contractor's invoice shall include a list of all local taxes that are included in the price, including the applicable rate.

(e) **ENVIRONMENTAL AND OIL SPILL TAXES AND INSPECTION FEES INCLUDED.** Unless an exemption applies, all contract prices **INCLUDE** State and local environmental and oil spill taxes and inspection fees.

(f) **LICENSES.** Federal, State, and local licenses or other requirements necessary to establish Contractor's entitlement to do business and/or to make tax-exempt sales under this contract are the Contractor's responsibility. Failure to obtain appropriate licenses or to follow required procedures shall preclude the reimbursement of taxes that would otherwise be exempt.

(DESC 52.229-9F25)

I28.03-2 TAX EXEMPTION CERTIFICATES (DESC DEC 2005)

(a) TAX EXEMPTION CERTIFICATES FOR MILITARY ACTIVITIES, INCLUDING THE NATIONAL GUARD.

(1) The Contracting Officer will issue tax exemption certificates for Federal Excise Tax (FET) for all military activities, including the National Guard. Contractors shall forward requests for tax exemption certificates covering any FET to the Contracting Officer.

(2) All military activities, including the National Guard, will issue tax exemption certificates for State and local taxes and fees, where applicable. Contractors shall forward requests for tax exemption certificates covering any State or local taxes or fees to the Ordering Officer. If the Ordering Officer fails to provide tax exemption certificates requested by the Contractor, the Contractor shall notify the DESC Contracting Officer and an exemption certificate shall be issued, if applicable. The DESC Contracting Officer may authorize payment of the tax if the Ordering Officer refuses to issue the tax exemption certificate.

(b) **FEDERAL, STATE, AND LOCAL TAX EXEMPTIONS FOR FEDERAL CIVILIAN AGENCIES.** Contractors shall forward requests for tax exemption certificates for Federal, State, and local taxes or fees to the Ordering Officer, when applicable.

(c) **GOVERNMENT OPTION TO DEDUCT TAX AND FURNISH TAX EXEMPTION CERTIFICATES.** If this contract provides that the Contractor should invoice for the FET, the supplies under contract are intended for a taxable purpose. However, where the invoice for any item includes the FET and tax exemption can be claimed, the Government may deduct the applicable tax from the order or the invoice and furnish a tax exemption certificate in lieu of paying the tax. The Ordering Officer will issue these tax exemption certificates.

(DESC 52.229-9F45)